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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/695,352 | 10/29/2003 | Youn-Gun Jung | 1349.1290 | 5992 |
| 21171 | 7590 | 08/11/2004 | EXAMINER | |
| STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005 | | | EVANISKO, LESLIE J | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2854 | |

DATE MAILED: 08/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------|-----------------------------|-----------|
| Office Action Summary | Application No. 10/695,352 | Applicant(s) JUNG ET AL. | |
| | Examiner Leslie J. Evanisko | Art Unit 2854 | <i>Am</i> |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,5 and 6 is/are rejected.
- 7) ☒ Claim(s) 3,4 and 7-26 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 October 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Drawings

2. The drawings are objected to because of the following informalities:
There is no lead line for reference numeral **455** in Figure 6, making it unclear as to what structure it is intended to designate. It is assumed that applicant intended for Figure 6 to include a bracket near reference numeral **455** similar to that shown in Figure 7.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the

remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: reference character "**F**" shown in Figures 6-7 has not been described in the specification. Additionally, reference numeral "**458a**" in Figure 6 has not been described in the specification. However, this problem may be corrected by changing the occurrence of "**458b**" in line 6 of paragraph [0044] on page 10 of the specification to --**458a**-- since it appears to be a typographical error.

Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page

header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

4. Claims 1-26 are objected to because of the following informalities:

With respect to claim 1, line 2, it is suggested that the phrase --an ink cartridge having-- be inserted before “a nozzle part” to provide proper antecedent basis for the term “the ink cartridge” in line 9.

With respect to claim 1, line 3, it is suggested that the term “a” (second occurrence) be deleted and replaced with --the-- since the printer main body was previously recited in line 2.

With respect to claim 5, line 3, it is suggested that the term “a” (second occurrence) be deleted and replaced with --the-- since the printer main body was previously recited in line 2.

Appropriate correction and/or clarification is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-2 and 5-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Tanno (US 6,634,745 B2). Tanno teaches a paper discharge unit **104** used with an inkjet printer **101** which ejects a sheet of paper **P** on which image printing is completed by an ink cartridge **7** having a nozzle part **70** out of a printer main body, comprising a paper discharge roller **41** mounted in the printer main body to feed the sheet out of the printer main body and a paper discharge guide **102** disposed downstream of the paper discharge roller in a direction the sheet is fed to guide a front end of the sheet upward just after the front end is ejected from the paper discharge roller so a rear end of the sheet is prevented from being lifted into contact with the nozzle part of the ink cartridge. See Figures 3-4, 6 and 7 and column 8, lines 14-43 and column 11, lines 27-40 in particular.

With respect to claim 5, note Tanno teaches a paper discharge unit **104** including a paper discharge roller **41**, an elevatably mounted paper discharge guide **105**, **102**, and a driving unit to elevate the paper discharge guide to be disposed higher than a contact surface between the paper discharge roller and the sheet as the sheet is discharged from the discharge roller. See column 8, lines 24-28 and column 9, lines 3-47 in particular.

With respect to claim 6, note Tanno teaches the driving unit includes a support member **102b**, rotating members **48** mounted on the printer main body and supporting the support member **102b**, and a rotating unit **49** rotating the rotating members **48** so that the paper discharge guide ascends and descends in association with sheet feeding. Again, see column 9, lines 3-47 in particular.

Allowable Subject Matter

7. Claims 3-4 and 7-26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Note the above-noted claim objections should also be corrected to the satisfaction of the Examiner.

8. The following is a statement of reasons for the indication of allowable subject matter:

With respect to claim 3, the prior art of record fails to teach or fairly suggest a paper discharge unit used with an inkjet printer having all of the structure as recited, in combination with and particularly including, a paper discharge opening formed on one side of the printer main body and the paper

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discharge guide being located between the paper discharge roller and the paper discharge opening.

With respect to claim 4, the prior art of record fails to teach or fairly suggest a paper discharge unit used with an inkjet printer having all of the structure as recited, in combination with and particularly including, a paper discharge opening formed on one side of the printer main body, and the paper discharge guide being adjacent to the paper discharge opening and protruding from an outer wall of the printer main body.

With respect to claim 7, the prior art of record fails to teach or fairly suggest a paper discharge unit used with an inkjet printer having all of the structure as recited, in combination with and particularly including, the rotating unit of the driving unit including a first gear supported by a first rotation shaft and second gears mounted on a second rotation shaft as recited.

With respect to claim 23, the prior art of record fails to teach or fairly suggest a paper discharge unit with an inkjet printer having all of the structure as recited, in combination with and particularly including, the driving unit including a guide protrusion protruding on the support member and a guide slit formed in the printer main body to limit and guide a rotation range of the support member.

Conclusion


9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kang (US 2004/0100545 A1), Nakamura (US 2003/0057638 A1), Matsuda (JP 2003-160270), Lee (US 6,669,191 B2), and JP 10-245143 each teach a paper discharge unit having obvious similarities to the claimed subject matter.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Leslie J. Evanisko** whose telephone number is **(571) 272-2161**. The examiner can normally be reached on M-Th 7:30 am-6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H. Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Leslie J. Evanisko
Primary Examiner
Art Unit 2854

lje
August 5, 2004